INITIAL STATEMENT OF REASONS

Lake Tahoe Region Exemption, 2006

[Published January 20, 2006]

Title 14 of the California Code of Regulations (14 CCR),

Amend:

895 Abbreviations Applicable Throughout Chapter.

895.1 Definitions.

1038 and 1038(f) Exemption.

The California State Board of Forestry and Fire Protection (Board) is promulgating a regulation necessary to amend Forest Practice Rules (FPR) Title 14, Chapter 4, Subchapter 7, Article 2, and Section 1038, Exemptions. This amendment would exempt (from Timber Harvesting Plan filing requirements of the Forest Practice Act (FPA)) the harvesting of live trees in a watercourse and lake protection zone (WLPZ) in the Lake Tahoe region for purposes of reducing fire hazards. Exemptions conducted under this amendment would require obtaining and accordance with a Tree Removal Permit issued by the Tahoe Regional Planning Agency (TRPA) and certified by the Lahontan Regional Water Quality Board (LRWQCB). This amendment is currently adopted by the Board as an emergency regulation and is currently in effect. The permanent adoption of the regulation is considered regulatory relief in that it provides additional hazard reduction treatments conducted under an Exemption than currently allowed.

PUBLIC PROBLEM, ADMINISTRATIVE REQUIREMENT, OR OTHER CONDITION OR CIRCUMSTANCE THE REGULATION IS INTENDED TO ADDRESS

Fuel hazard reduction needs in the Lake Tahoe Basin (Basin) have been recognized by the Tahoe Regional Planning Agency (TRPA), local Basin fire departments, the Tahoe Conservancy, federal and state land management and fire protection agencies, and other local stakeholders. This recognition was demonstrated by the March 2004 "Lake Tahoe Fire Prevention Forum." This summit brought together many of the above listed groups along with state and federal legislators to address fuel hazard reduction needs and opportunities for the Basin.

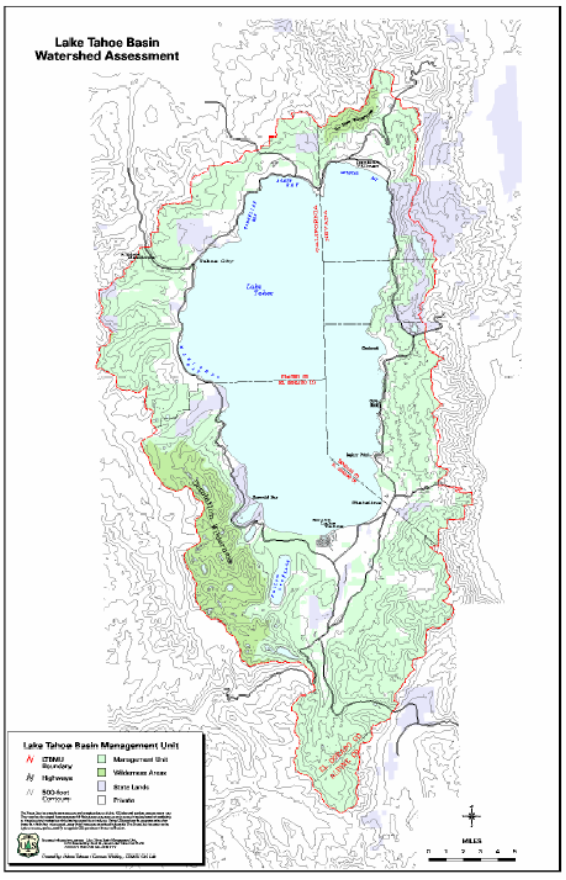
To address the hazardous situations, the Board has, during 2004 and 2005, adopted regulations that address these conditions throughout the State. Regulations including Emergency Notices for Fuel Hazard Reduction (14 CCR 1052.4) and Exemptions implementing legislation AB 2420 (14 CCR 1038(i)) have provided significant regulatory

relief to help streamline the permitting process needed to harvest commercial trees for fuel hazard reduction.

Both of the recent Board regulations permitted thinning and slash removal in critical fire protection areas, but did not permit these fuel reductions in Watercourse and Lake Protection Zones (WLPZs). Exclusion of treatments in WLPZs was determined necessary by the Board because the regulations are non-discretionary permits (Emergency Notice or Exemption) where detailed reviews of harvesting activities prior to harvesting are generally not conducted. The presumption of these non-discretionary permits is that they generally meet Regional Water Quality Control Board Basin Plan objectives because there are no harvesting activities in WLPZs.

In late 2004, TRPA amended its ordinances to permit limited tree removal in its streamcourse and wet areas, which are termed Stream Environment Zones (SEZs). These amendments were made in response to the recognition that treatments of fuels in streamcourses are part of a landscape-level protection strategy. However, treatment of fuels in SEZs is not permitted under the recent Board fuel hazard reduction rules.

In March of 2005, a representative from the LRWQCB submitted written comments and made an oral presentation before the Board of Forestry regarding the inability of landowners to treat fuels in SEZs and WLPZs under either of the Board's recent Emergency Notice or Exemption fuel reduction rules. The Lahontan representative requested that the Board address this issue, initially using emergency rules, to permit limited fuel reduction in SEZs and WLPZs in the Tahoe Basin beginning in the field season of 2005. The LRWQCB is concerned about the potential for catastrophic fire in the Lake Tahoe Region and the effects that catastrophic fire could have on water quality and beneficial uses of water. The LRWQCB worked closely with the Board of Forestry to craft an emergency rule that would allow the needed fuels reduction treatments while also preventing any potential for significant adverse effects.



Necessity (Text and graphic excerpts from the Lake Tahoe Watershed Assessment, Murphy, Dennis D.; Knopp, Christopher M., technical editors. 2000. Lake Tahoe Watershed Assessment: Volume I. Gen. Tech. Rep. PSW-GTR-175. Albany, CA: Pacific Southwest Research Station, Forest Service, US Department of Agriculture; 753 p.)

In recent years, the public has become deeply concerned about the potential for severe forest wildfires. Of particular concern are the wildfires in the Wildland Urban Interface (WUI) areas where homes and development intermix with the wildland vegetation. Conversely, forest managers are concerned about the spread of fire from these

residential areas into wildland areas and the impacts they have on natural resources and ecological system such as habitats, water cycling and carbon sequestration.

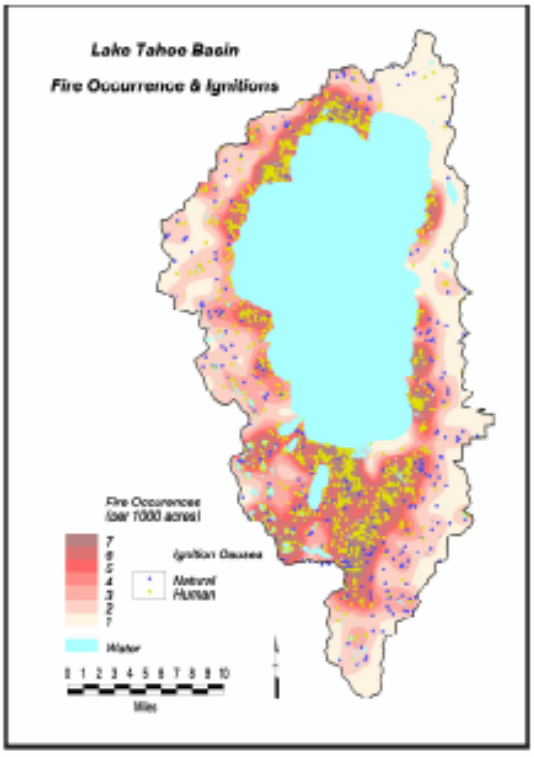
This concern has been expressed in many forums in regard to wildfire affects in the Lake Tahoe Basin, the 500 square miles of which more than a third (122,600 acres) is the lake itself (see figure). Of nearly 200,000 acres of terrestrial lands in the Basin, of most concern relative to fire are the lower elevation, more populated, "Wildand Urban Interface." This WUI comprises about 24,000 acres of public and private land, in both California and Nevada.

Increasing hazardous fire conditions have been observed in the Lake Tahoe Basin over time. In the Sierra Nevada, most fires prior to European settlement were thought to be of low to moderate intensity, with extensive areas (>100 acres) of high tree mortality uncommon (Skinner and Chang 1996). But by the 1920s, fire protection was a primary concern. Historically 2,100 to 8,000 acres burned on average annually in the basin, compared to fewer than 500 acres of burning currently.

Tahoe has now completed 75 years of fire suppression management, during which there normally would have been three to five fire cycles in the mixed-confer and pine zones. One consequence has been an increase in the amount of fuel on the forest floor and increased density of understory vegetation.

Today fires are likely to be more intense due to the accumulation of surface fuels and understory. The amount of fuels available to burn at any given time in a given area is referred to as fire hazard. Our very successful program of fire suppression of low to moderate intensity fires has made the occurrence of high intensity fires more likely than ever.

In the Lake Tahoe Basin, there have been many additional changes in vegetation from the time of settlement, which are the result of activities other than fire suppression. Extensive harvest in the late 1800s and early 1900s resulted in an overall young forest. There is concern that these changes have contributed to an increased likelihood of severe fire. Younger forests are more susceptible to mortality from fires. This is due to the lower height and size of small trees. Their bark is thinner, and their crowns are lower to the ground, making them more susceptible to lethal heating by flames of a low height. With much of the Basin in a younger state, a large proportion of it could burn severely, with high rates of mortality. These two human activities-creating younger forests by harvesting older trees and suppressing fires that otherwise would have burned off accumulated fuel-



have increased the likelihood of severe fire in the Basin.

In addition to instituting fire suppression measures that may have increased fire hazard through fuel accumulation, humans have increased the number and changed the distribution of ignitions. Human caused fires are the source of most of the acres burned by wildland fire in the Lake Tahoe Basin (see figure). People tend to ignite fires that escape and become larger than do lightning fires. Some of the fires that people ignite are on severe fire days, which are dry, windy, and hot; lightning fires often are ignited under conditions of higher humidity and cooler temperatures and during events that are usually forecasted, allowing fire managers to gear up for the subsequent fires.

Fires in the 20th century have been few, due to effective fire suppression and the high elevation environment, with its short fire season. Fire detection and suppression is excellent. Because of the large number of fire departments, response time to human-caused fires is among the shortest in the Sierra Nevada. Nonetheless, some of the highest fire ignition rates in the Sierra Nevada occur in the Basin, concentrated around the urban interfaces.

Even under the most extreme conditions, fires are unlikely to spread to more than one or two subwatersheds because of their orientation relative to wind patterns and the dissected topography along the lakeshore. Fire escape rates are low, at less than half a percent of recent historical ignitions. However, should a fire escape initial control attempts under extreme wildfire conditions, at least 50 percent of the area in the resulting burn would likely be crown fire, with overstory tree mortality greater than 50 percent.

Tree mortality (representing severity of fire effects on vegetation) likely would be high in most fires, given current surface and ladder fuel conditions. Locations of drought, insect, and pathogen-related tree mortality can result in decreased fire line construction rates and increased tree mortality in fires. These effects are most important where mortality is widespread and continuous. Drought-stressed trees often succumb to fires more readily than non-drought-stressed trees.

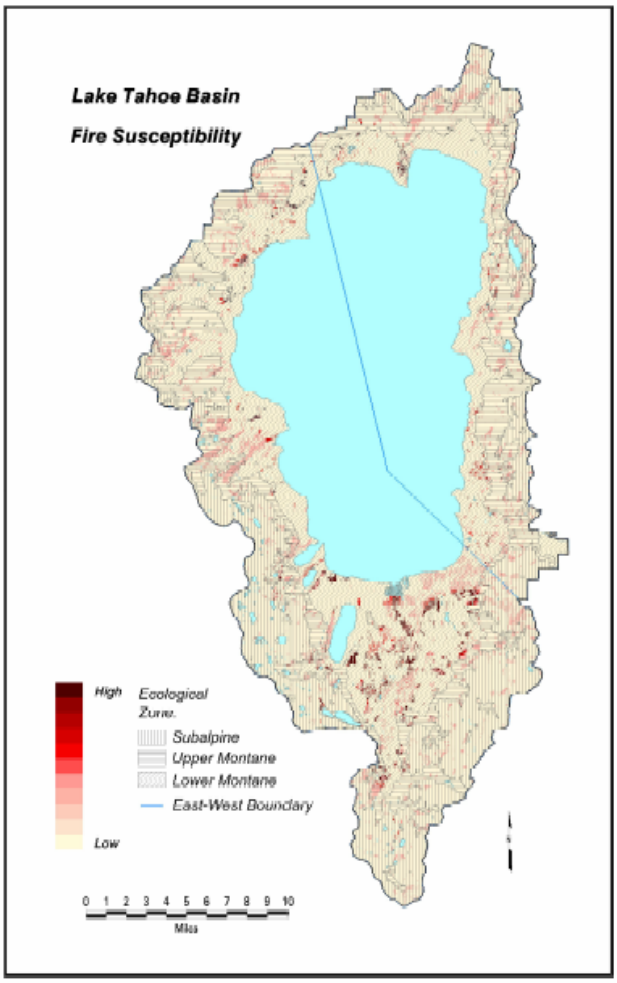
Longer-term weather patterns, namely drought, also influence the likelihood of fire. It is likely that droughts will occur in the future to an unknown degree and frequency, and that the greatest likelihood of large or severe fires will be associated with these droughts. It appears that the climate generally is warming and that past warm periods have been associated with dryness (Stine 1996). Therefore the trend appears to be one toward climate conditions with an increasing likelihood of large or severe fires.

Fuels, ignitions, and weather conducive to fire simultaneously contribute to the likelihood of large or high severity fires. As mentioned previously, ignition rates are high in the Basin, particularly in the urban interface areas. These ignitions occur in the portion of the Basin with the greatest amount of fuel: the low elevation rim around the lake in the pine and mixed-conifer zone. The weather is rarely a factor in fire suppression because of the high elevation environment and relatively short fire season.

In summary, weather, fuels, and ignitions all contribute to the likelihood of large or severe fires. Although weather conditions usually limit large or severe fires in the Basin, some weather conditions can result in large or severe fires, particularly in hot and dry years. Additionally the high proportion of WUI increases the likelihood that fires will be severe. Importantly, ignition densities are high in the WUI. Although high levels of suppression forces and relatively cool, wet weather conditions limit the number and sizes of fires from these ignitions, reducing the number of ignitions would substantially reduce the likelihood of fire.

Effects of a High Severity or Large Unplanned Fire on Soil Erosion, Air Quality, Lake Clarity, Biotic Health, Old Growth, and Urban Areas

The potential effects of unplanned fire on vegetation in the Basin are also important to consider. Vegetation in the Basin provides important ecosystem and social values that would be at risk if a large, high severity fire occurred. Vegetation provides cover for the soil, filtering nutrients and sediment that might flow into the lake, reducing water quality. Vegetation also provides wildlife habitat and is an important component of the scenic beauty of the Basin.



The greatest concern with large fires in the Basin is the high property and natural resource values that they threaten (including lake clarity and limited old-growth forests). Even a small wildfire in the Basin is potentially a significant event because of the juxtaposition of high ignition potential, high density and value of human developments, and high fuel hazard. In modeled fire impact analysis, fire was modeled for two burning periods (48 hours). Fires were started in locations in each selected watershed where the density of ignitions have been the greatest; usually at the interface between the urban and wildland areas. Every run showed spotting and crowning of fire, but with simulated direct attack fire suppression tactics, the fire was controlled to a small size (42 to 546 acres). The largest simulated fire was on the north shore, where it reached 546 acres, due to the orientation of wind with the slope in that area. Without simulated suppression, flame lengths were high enough to reach the crowns and surface fuels were heavy enough to carry fire in the crowns in part of the fire perimeter. However, only a portion of each area burned as a crown fire, as surface fires dominated (55 to 87 percent) the simulated fires.

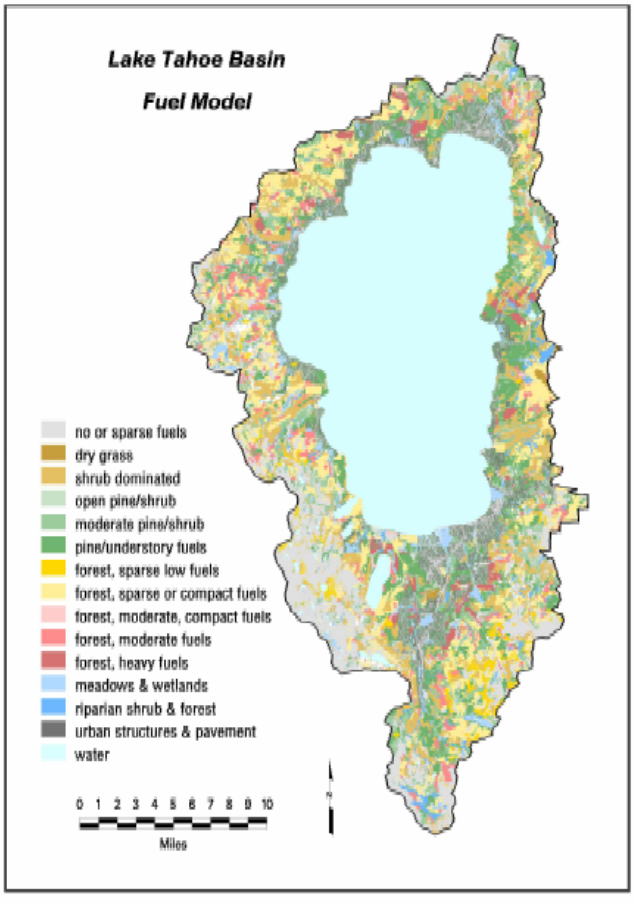
Relative fire susceptibility index measures (see figure) is the ratio among expected acres to be burned within a fire occurrence zone and burnable acres. It fundamentally indicates the fire spread potential. Precise estimates of acres burned would be required to produce an actual probability of an acre burning. However, estimates for small watersheds modeled indicate nearly 30 percent of the west side lower and upper montane land covers have over a 75 % relative ratings of the likelihood of an unplanned large or severe fire.

Values at risk were analyzed at the watershed scale because ecosystem values at risk, such as lake clarity, are impacted at these broader scales. Lake clarity is most likely to be affected by larger fires occurring in a particular watershed, with erosion and sediment and nutrients funneled through stream channels and roads. Such a watershed focus also will protect old-growth stands.

The greatest coincidence of watersheds with a high proportion of erodible soils and the likelihood of fire occurs on the east shore. Steep granitic soils and flammable fuels occur here. The south and north shores also contain some watersheds with high ratings. Urban and urban interface areas on the south and north shores have the greatest fire occurrence, whereas the west shore and the Incline area have relatively low ratings.

Scope

The geographic scope affected by the regulation is private timberlands with hazardous fuel conditions, within the California side of the Lake Tahoe Region, as defined in the amendment. This area is estimated at approximately 50,000 acres, based on ownership patterns outlined in the Tahoe Basin Fuels Reduction Action Plan and fuel modeling conducted under the Lake Tahoe Watershed Assessment of 2000 (see figure). Watercourses comprising this area were not calculated but were estimated to be approximately 10% of the private timberlands on the California side of the basin, totaling approximately 5000 acres.



SPECIFIC PURPOSE OF THE REGULATION

The specific purpose of the proposed amendment is to revise the Tahoe dead and dying tree removal exemption under 14 CCR section 1038(f) of the California Forest

Practice Rules to allow removal of live vegetation from WLPZ/SEZs in the Lake Tahoe Region. It also amends the permitting requirements of any section 1038 exemption conducted in the Lake Tahoe Region by requiring the need to obtain a TRPA permit prior to submitting the exemption form to CDF. Finally, it adds a new definition and abbreviation specific to Lake Tahoe.

The proposed regulation has two options included in the notice:

Option 1: This option is the exact language used currently in the emergency regulation. This focus of this option is to allow the removal of live trees in WLPZ/SEZs , allow use of low impact mechanized equipment (under certain conditions) to remove vegetation from WLPZ/SEZs, and add that all exemptions conducted in the Lake Tahoe Region have a Tahoe Tree Removal Permit.

Option 2: This option includes all the requirements of Option 1, but further amends 1038(f) to add other exempt activities to the operational requirements outlined in the section 1038(f) 1-14. Exempt activities authorized under PRC 4584 sections (b), (c), (f), (j), and (k) would be subject to 1038(f) 1-14 requirements. For example, exempt operations such as defensible space clearing under 1038(c) (authorized by PRC 4585(j)) currently do not require operational requirements pursuant to 1038 (f) 1-14; they must comply with 1038(c) 1-10. The alternative would now require 1038(c) and other activities to comply with 1038(f) 1-14.

The revisions to sections 1038 and 1038(f) change several sections:

- Section 1038 preamble is amended to require that all timber operations conducted using an Exemption outlined in the FPRs in the Lake Tahoe Region obtain a TRPA permit prior to exemption submission to CDF.

- Amendments to subsection 1038(f) permit live tree harvesting, for fuelwood uses only, in SEZs/WLPZs defined in the FPRs. Existing rules under subsection 1038(f) do not permit any live tree removal on parcels less than 20 acres in the Tahoe Basin , including in SEZs/WLPZs. Live fuelwood or minor forest products, dead trees, dying trees and other vegetation removal would be allowed from SEZs/WLPZs when approved by TRPA and the LRWQCB prior to exemption submission to CDF. The tree removal prescription/limitation would be the WLPZ standards currently outlined in Article 6, Watercourse and Lake Protection Zones, Sections 956 through 956.12.

- Amendment to 1038(f) under option 2.1 deletes the parcel size limitation currently applicable to exempt activities in the Lake Tahoe Region. Also it adds other exempt activities must conform to the outlined in the section 1038(f) 1-14 (see above).

- Amendments in subsection 1038(f)(2) require the use of low impact equipment in SEZs/WLPZs: Subsection 1038 (f)(2) permits “low impact” equipment in SEZs, WLPZs or other high erosion hazard areas for tree removal, if approval is also obtained from the TRPA and the LRWQCB.

- Amendment to subsection 1038(f)(4) adds non substantive clarifying edits related to operational limits during winter periods. It also adds the exception that low impact equipment may be used during winter periods given certain circumstances.

- Amendment to subsection 1038(f)(7) allows harvest of live vegetation from WLPZs/ SEZs. The only difference in this subsection between Option 1.2 and 2.2 is that Option 2.2 states that "live tree, dead trees or other live and dead vegetation" may be removed. Option 1.2 specifies only live vegetation may be removed from SEZs.

- Amendment to subsection 1038(f)(9), (12), and (13) adds non substantive clarifying edits.

- Amendments under Option 2.3 to section 1038 (f)(15), (16), and (17) are necessary because of statutory operational requirements related to PRC 4584 sections (b), (c), (f), (j). These PRC sections list specific operational requirements that are currently not listed under 1038(f). By including these exempt activities under 1038(f), all statutory requirements must be retained.

Revisions to sections 895 and 895.1 provide an acronym for the Tahoe Regional Planning Agency and define the Lake Tahoe Region for the purpose of establishing the geographical scope of the regulation.

NECESSITY

The necessity of the regulation is as stated in the above section: *PUBLIC PROBLEM, ADMINISTRATIVE REQUIREMENT, OR OTHER CONDITION OR CIRCUMSTANCE THE REGULATION IS INTENDED TO ADDRESS*

ALTERNATIVES TO THE REGULATION CONSIDERED BY THE BOARD AND THE BOARD'S REASONS FOR REJECTING THOSE ALTERNATIVES

The Board has considered several alternatives to the regulation proposed. The alternatives primarily relate to various language intended to make consistent the exemption activities with other permitting requirements in the Lake Tahoe Basin required by LRWQCB and TRPA. The following alternatives were considered:

Alternative #1: Include all Exempt activities under PRC 4584 into 1038(f)
This alternative would include all PRC 4584 exempt timber operations in Lake Tahoe region under a standard set of 1038(f) 1-14 requirements as outlined in the emergency rule. A benefit of this alternative is it makes all exempt activities subject to uniform interpretation of the operational requirements in Lake Tahoe. This alternative was rejected as some of the PRC 4584 activities (conversion exemptions for example) are not processed by TRPA using a Tahoe Tree Removal Permit (TTRP) and its operational requirements. With the Board further considering using the TTRP as the form for the

CDF "Notice of Exemption", including exempt activities that do not require a TTRP would result in uncoordinated permitting circumstances.

Alternative #2: Include all LRWQCB Categorical Waiver Exemption permitting requirements in 1038(f). This Alternative would have added additional operational requirements to make consistent the 1038(f) operational requirements with LRWQCB waiver requirements. This alternative would include an additional 5 items solely related to LRWQCB permit waiver requirements. These requirements were related to limitation of timber operations on 60% slopes, prohibiting log landing construction and reconstruction, prohibiting pile burning in SEZs, prohibiting mechanical site preparation, and prohibiting the use of herbicides during the use of exemptions. This alternative was rejected as it adds operational requirements would add to the inspection burden for CDF, add inspection requirements that are not within the authority of the Department, and would eliminate any flexibility in amending LRWQCB Categorical Waiver Exemption requirements.

POSSIBLE SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS AND MITIGATIONS

The Board finds the proposed regulation, when conducted in accordance with permitting requirements of the Tahoe Region Planning Agency, the Lahontan Regional Water Quality Control Board and the operational limitations defined in the regulation, will treat surface, ladder and, to lesser extent crowns of trees, and is necessary for reduction of fire hazard needed for immediate preservation of the public peace, health and safety, and the general welfare. Such treatments are found to provide adequate protection to natural resources. The treatments and operational limitations under the regulation and in cooperation with the TRPA and LRWQCB, will reduce the tree crowns density, retain larger fire resistant trees, and prioritize removal of smaller trees that contribute to meeting fuel hazard reduction goals. Such treatments require strict equipment limitations, and are determined to cause no potential adverse effects to water quality. The Board has found that operational limitations and the consultation of cooperating agencies (TRPA and LRWQCB) provide adequate protection to avoid any potentially significant adverse effects to water quality resulting from operations in the WLPZ.

General evaluation of potential significant impacts indicates that significant impacts are unlikely as the nature of maintenance work conducted under these regulations consists of minor alterations to vegetation and removal for the purpose reducing fire hazard while maintaining native growth. Analysis of potential significant environmental impacts has identified several resources that may be potentially affected as the follows:

> **Water Quality:** Projects conducted under this regulation can result in vegetation clearing near streams and watercourse areas. One concern with vegetation removal around watercourses is reduction in stream water temperature due to reduction in riparian vegetation and overstory tree shade. Consultation with the LRWQCB is necessary prior to any removal in the SEZ. Further, approval by the LRWQCB is needed if mechanized equipment is anticipated to removable vegetation from SEZ.

This approval will result in very limited use of equipment and will require no disturbance to riparian vegetation or soil in the SEZ.

In cases where hazard reduction is conducted in locations where larger trees are being removed and utilized for commercial purposes, the FPRs include requirements to minimize environmental effects, beyond those in the 1038(f). These practices have been determined to be effective in avoiding significant adverse environmental impacts. Such requirements as general prohibition of operations in stream courses, no new road construction, and prohibition of operation on steep slopes are likely to minimize or eliminate impacts of the project on water quality. Generally, projects conducted in compliance with a CDF Notice of Exemption" has been determined by the LRWQCB as acceptable for a "Categorical Waiver" from a waste discharge permit. This indicates the low level of expected impacts to beneficial uses of water likely to result for these operations.

Fish, wildlife and plant habitat: The projects are expected to create minor disturbance to the ground cover, understory components, and overstory conditions of forested settings. Overstory forested canopies are expected to remain intact, with little to no change in the California Wildlife Habitat Relationship size and density classification. For larger scale forest operations that remove trees for commercial purposes, the FPRs contain operational requirements that have been determined to be effective in avoiding significant adverse environmental impacts to biological resources.

Aesthetic setting: The nature of the projects likely to be conducted under this exemption will include removal of understory vegetation that often acts a visual screen between houses or other human occupied space (roads, commercial building etc.). Loss of the screening can result in undesired visual effects on those residents in wildlands areas that value the remote setting. Key to the mitigation process will be conducting operations that are consistent with the TRPA tree removal ordinances. This ordinance limits the number of trees to be removal on a parcel and includes on site review of tree removal setting to ensure that aesthetics quality are being maintained.

The Board has evaluated the above measures to eliminate or substantially lessen to a level less than significant the potential adverse effects on the environment. Together, the standard provisions of the Forest Practice Rules and the unique protective requirements required by TRPA and LRWQCB are expected to provide an insignificant level of environmental impacts.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS

The Board estimated the regulation should not have any adverse economic impact on any business. The amendment generally provides a wider range of hazard reduction

treatments to be used under an Exemption. Previously, activities in the proposed regulation would have required a Timber Harvest Plan (THP). THPs typically cost over $20,000 compared to a Notice of Exemption, which often costs less than $1000 to prepare.

ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

The Board has considered several alternatives to improve the economic efficiency of the regulation to make it more cost effective for small business to use. Alternatives considered included expanding the regulation to eliminate the parcels under which the regulation would apply. The Board is continuing to consider this amendment, but issues have been raised about the Board's statutory authority to make the amendment. The

The Board also considered making amendments to the appropriate sections that would allow CDF to use the TRPA TTRP as its exemption form. This alternative would have eliminated duplicate permitting forms for persons removing tree in the Lake Tahoe Region. The Board is continuing to evaluate this alternative and may include it at a later date. Concerns have been raised that the consolidated permitting process may add unnecessary and unintended confusion to the public for those applying for TRPA Tree Removal Permit as the consolidated TRPA/CDF Notice of Exemption. This confusion is related to the public's unfamiliararity with the requirements of a typical CDF commercial exemption pursuant to 1038. This confusion may outweigh the benefits of a single permit for meeting the joint agency's permitting requirements. Because so few commercial operations are conducted in the Basin, people are unfamiliar with these requirements, resulting in no permitting clarity for the public. At a future date, when many commercial operations are on-going due to increased activity in hazard reduction, such a permit may have value. In consultation with TRPA staff, CDF's exemption requirements are quite different than TRPA's ordinances, and do not fit well on the same form.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

The Board of Forestry and Fire Protection consulted the following listed information and/or publications as referenced in this *Initial Statement of Reasons.* Unless otherwise noted in this *Initial Statement of Reasons*, the Board did not rely on any other technical, theoretical, or empirical studies, reports or documents in proposing the adoption of this regulation.

Lahontan Regional Water Quality Control Board. August 21, 2005. Water Quality Briefing Paper. Lake Tahoe Environmental Forum.

California Department of Forestry and Fire Protection. August 2005. Role of California Department of Forestry and Fire Protection and in Lake Tahoe Basin. Lake Tahoe Environmental Forum

Lahontan Regional Water Quality Control Board. April, 1995. Lahontan Regional Water Quality Control Board Water Quality Basin Plan; Chapter 5.12 Forest Management Activities.

California Regional Water Quality Control Board, Lahontan Region. 2003. Resolution No. R6T-2003-0001. Conditional Waiver of Waste Discharge Requirements for Discharges Related to Timber Activities in the Lahontan Region; Attachment A.

Murphy, Dennis D.; Knopp, Christopher M., technical editors. 2000. Lake Tahoe Watershed Assessment: Volume I. Gen. Tech. Rep. PSW-GTR-175. Albany, CA: Pacific Southwest Research Station, Forest Service, US Department of Agriculture.

Tahoe Basin Fuel Reduction 2004 Action Plan. March 11, 2004.

Tahoe Regional Planning Agency Code of Ordinances. January 28, 2004. Chapter 71 Tree Removal.

Tahoe Regional Planning Agency. A Property Owner's Guide to Cutting Trees.

State Board of Forestry and Fire Protection Staff Report. November 9, 2005. Staff Report Update Lake Tahoe Region Exemption 11/10/05.

California Department of Forestry and Fire Protection. Lake Tahoe Consolidated Streamlining Permit and Exemption Language. October 19, 2005.

Pursuant to Government Code 11346.2(b)(6): In order to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues as those addressed under the proposed regulation revisions listed in this *Statement of Reasons*; the Board has directed staff to review the Code of Federal Regulations. The Board staff determined that no unnecessary duplication or conflict exists.

PROPOSED TEXT

The proposed revisions or additions to the existing rule language is represented in the following manner:

UNDERLINE indicates an addition to the California Code of Regulations, and

~~STRIKETHROUGH~~ indicates a deletion from the California Code of Regulations.

All other text is existing rule language.